

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:18-CR-194

-v.-

TOMARIS CONEY,

Magistrate Judge Michael J. Newman

Defendant.

ORDER

This case is before the Court on Defendant's oral motion to continue this case until such time as he can be screened for eligibility to participate in pretrial diversion. The government does not oppose Defendant's oral motion. For good cause shown the Court GRANTS Defendant's unopposed motion to continue. This case is CONTINUED pending a determination by Pretrial as to Defendant's eligibility to participate in pretrial diversion.

Pursuant to 18 U.S.C. § 3161, after considering the factors set forth herein, the Court finds that the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and Defendant in a speedy trial. Failure to grant the requested continuance would deny both parties the time necessary for effective preparation of this case for trial, as well as the ability to explore all available means of resolving this case. See 18 U.S.C. § 3161(h)(7). Thus, the time from the date of this Order until Defendant's next scheduled Court appearance is excluded in computing the time period set forth in 18 U.S.C. § 3161 within which Defendant must be brought to trial.

IT IS SO ORDERED.

February 6, 2019

s/ Michael J. Newman
United States Magistrate Judge